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c Pr11 Gravenhurst (Town of) Act, 1993

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CHAPTER Pr11

An Act respecting the Town of Gravenhurst

Assented to June 30, 1993

Preamble

The Corporation of the Town of Gravenhurst has applied for special legislation to extinguish the right of passage on a surveyed portage between Deer Lake and Pine Lake in the geographic Township of Muskoka and to establish a new portage between those lakes. The Corporation represents that the existing portage cannot be laid out with certainty on the ground by a surveyor and that it is desirable to have a clearly definable portage route. The existing route crosses privately owned lands. The proposed route follows a municipal road allowance.

It is appropriate to grant the application.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Right of passage extinguished

1. The right of passage provided by subsection 65 (4) of the *Public Lands Act* on the portage between Deer Lake and Pine Lake through lots 30 and 31 in Concession 8 of the geographic Township of Muskoka in the District of Muskoka as shown on the original survey by A.B. Scott, P.L.S., dated February, 1870 is extinguished.

New portage established

2.—(1) A new portage is established between Deer Lake and Pine Lake on land described in the Schedule even if the land is or has been sold or otherwise disposed of under this or any other Act.

Limitation

(2) Subject to this section and section 3, this Act does not affect the title or ownership of any land over which the portage is established.

Right of passage

3.—(1) A person intending to travel on Deer Lake or Pine Lake has the right to travel with their effects along all or any portion of the new portage without the permission of the owner of the lands on which the portage is located and without any payment to the owner of those lands.

Offence and penalty

(2) Any person who obstructs or interferes with the exercise of another person's right to

travel along the new portage is guilty of an offence and on conviction is liable to a fine of not more than \$100.

4. The new portage is a recreational trail for the purposes of section 4 of the *Occupiers' Liability Act*. Recreational trail

5. The Town of Gravenhurst may make by-laws respecting the maintenance of the portage trail and the regulation of traffic on it. By-laws

6. This Act comes into force on the day it receives Royal Assent. Commencement

7. The short title of this Act is the *Town of Gravenhurst Act, 1993*. Short title

SCHEDULE

Deer Lake—Pine Lake Portage

Being in the geographic Township of Muskoka, now in the Town of Gravenhurst, in The District Municipality of Muskoka, more particularly described as follows:

FIRSTLY: That part of the side road allowance between Lot 30 and Lot 31 in Concession 8 of the Township of Muskoka that is bounded on the south by the original high water mark of Pine Lake and bounded on the north by a line joining the northeast corner of the said Lot 31 to the northwest corner of the said Lot 30.

SECONDLY: All of the Concession Road Allowance between Concession 8 and Concession 9 of the Township of Muskoka in front of the side road allowance between Lot 30 and Lot 31.

THIRDLY: That part of the Concession Road Allowance between Concession 8 and Concession 9 of the Township of Muskoka in front of Lot 31 that is bounded on the east by a line joining the northeast corner of Lot 31 in Concession 8 to the southeast corner of Lot 31 in Concession 9 and bounded on the west by a line commencing at the point in the northerly limit of Lot 31 in Concession 8 that is two hundred and fifty feet westerly along the said limit from the northeast corner of Lot 31 in Concession 8, thence northerly parallel to the easterly boundary line of this part to the original high water mark of Deer Lake.